

REMARKS

Claims 28-54 are now pending in the application. Claims 1-27 are herein canceled. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-27 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed.

The Examiner stated the Claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, the Examiner noted the Claims recite that the invention is modular, however it is unclear how modularity is accomplished, including how the pieces are fastened and what makes this modular construction. The Examiner also noted that due to the breadth of the Claims it is unclear exactly what area of "flight capable" craft is addressed.

Applicants initially note Claims 1-27 are herein canceled. New Claims 28-54 are limited to an aircraft body addressing the Examiner's comment of which "flight capable" craft is being addressed. The aircraft body of the present invention is constructable from a plurality of interchangeable "modular parts", having units of standardized size, design or construction that can be arranged or fitted together in a variety of ways. In particular, the claims now identify that each aircraft body contains substantially identical end pieces used at both forward and aft ends of the body members. The body members themselves can be duplicated and longitudinally joined or connected as parallel pairs.

Each body member also has in common a vertical propulsion system. Use of multiple body members each commonly having vertical propulsion systems therein is therefore "modular" without need to specify the type of connecting joint. It is respectfully submitted that the specific type of assembly, i.e., using rivets, bolts, or welding to join the end pieces, for example, is not determinative of the modular design of the aircraft body having the substantially identical end pieces as claimed.

Applicants respectfully submit that new Claims 28-54 are in allowable form, and Claims 1-27 are herein canceled, rendering the 35 U.S.C. § 112, first paragraph rejection of Claims 1-27 moot.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Page et al. (U.S. Pat. No. 6,568,632) in view of Ash et al. (U.S. Pat. No. 6,065,720) and further in view of UK Patent Application GB2070209. This rejection is respectfully traversed.

It is initially noted Claims 1-27 are herein canceled and replaced by new Claims 28-54.

None of the references of Page, Ash or UK Patent Application GB2070209, alone or in combination, teach or suggest the features of Applicant's Claims 28-54. In particular, none of the references of Page, Ash or UK Patent Application GB2070209, alone or in combination, teach or suggest a plurality of substantially identical end pieces each having a blunt attachment face attached to both ends of the body of an aircraft.

Applicants further note that UK Patent Application GB2070209 discloses a pallet having reinforcing ribs that is arranged symmetrically parallel to the longitudinal axis of the aircraft. See page 1, column 2, lines 2-9. The problems addressed by the '209 patent application are the unequal weight distribution or changes in center of gravity of the aircraft occurring in previous bomb mechanisms when bombs are released or when one of the bombs does not release, and/or having mechanisms tying the bombs directly to the aircraft. See page 1, column 1, lines 20-54. To solve these problems the '209 patent application teaches that a pallet holding the bombs is suspended under the aircraft and the pallet is aligned on the longitudinal axis of the aircraft. See page 1, column 2, lines 114-120 and figures 2 and 3.

The '209 patent application therefore teaches away from mounting a task specific panel on one of the opposed walls of an aircraft body. As noted by the Examiner, neither of the references of Page or Ash disclose a task specific panel. Modifying the Page and/or Ash references with the '209 patent application therefore does not render obvious mounting a task specific panel on one of the opposed walls of an aircraft body.

In summary, Applicants note that Claims 1-27 are herein canceled, rendering the 35 U.S.C. § 103(a) rejection of Claims 1-27 moot. The Examiner is therefore respectfully requested to withdraw the 35 U.S.C. § 103(a) rejections of Claims 1-27. It is respectfully submitted that new Claims 28-54 are in allowable form.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: July 29, 2004

By:



Thomas J. Krul
Reg. No. 46,842

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MDE/TJK/cg